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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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7   SOFTWARE RESEARCH, INC.,   Case No. 16-cv-07353-EMC

8   Plaintiff,

9   v.   **ORDER RE JOINT LETTER OF APRIL 20, 2017**

10   SEAPINE SOFTWARE, INC.,   Docket No. 40

11   Defendant.

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13   The Court has reviewed the parties' joint letter of April 20, 2017. Having considered the

14   contents of the letter, as well as all other evidence of record, the Court hereby rules as follows.

15   Plaintiff's motion for leave to amend – *i.e.*, to add Perforce Software Inc. ("PSI") (the parent

16   company) as a defendant – is **GRANTED**. Under Federal Rule of Civil Procedure 15, a "court

17   should freely give leave [to amend] when justice so requires." Fed. R. Civ. P. 15(a)(2). Here,

18   there has been no undue delay by Plaintiff in seeking amendment. Moreover, there is no

19   indication of bad faith on the part of Plaintiff, futility of amendment, or prejudice to Defendant.

20   *See generally Johnson v. Buckley*, 356 F.3d 1067, 1077 (9th Cir. 2004); *Bowles v. Reade*, 198 F.3d

21   752, 758 (9th Cir. 1999). While Defendant and PSI are willing to provide a declaration, that does

22   not render amendment nugatory or unnecessary.

23   **IT IS SO ORDERED**.

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25   Dated: April 24, 2017
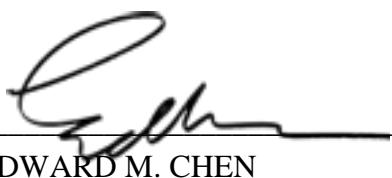
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27   EDWARD M. CHEN
                                                 United States District Judge
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